Writ Petition No. 817(S/B) of 2001

Dr. Jairaj Singh Kandari …….. Petitioner

Versus

State of Uttaranchal and Others ……. Respondents.

……..

Hon. P.C. Verma, J.
Hon. M.C. Jain, J.

This writ petition has been filed by the petitioner challenging the transfer order of the respondent no.3, who has been posted in place of petitioner. By the impugned order, transfer of the respondent no.3 has been ordered but no order for transfer of the petitioner somewhere else has been passed till date.

Transfer is exigency of service. No malafide has been alleged. In view of the settled law that the transfer order being administrative in nature should not be interfered with until a clear cut case of malafide is made out or where the order is passed by the authority, who is not competent to pass the same. Thus, petition is liable to be dismissed.

The petition is dismissed accordingly. No order as to costs.

(P.C. Verma, J.) **(M.C. Jain, J.)**

Dt. 28.8.2001
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